

**REMARKS**

Claim 1 and 21 are currently amended. Claims 3, 9-17, and 20 are cancelled. Applicant affirms the election of Group I, claims 1-8 and 18-22 drawn to a tank, and has cancelled claims 9-17, reserving the right to file them in a later divisional application. Claims 1-2, 4-8, 18-19, and 21-22 remain for consideration in the application.

*Claim Rejections Under 35 U.S.C. § 103*

Claims 1-2, 4-8, 18-19, and 21-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Redding (U.S. Patent No. 3,552,599) in view of Clarke et al (U.S. Patent No. 5,667,113). Applicant respectfully traverses.

Claim 1 recites “molded through tapered columns.” Claim 18 recites “a plurality of tapered hollow columns.” These tapered columns are not present in Redding. In fact, it is clear from a reading of Redding and viewing the Figures of Redding that the alleged columns of Redding are in fact simple indentations in the side of the tank. At no point do the columns extend through the tank as the “molded through tapered columns” of claim 1 or the “tapered hollow columns” of claim 18 do. Redding, in Figures 4 and 5, and at col. 2, ll. 60-66, clearly shows and states that the projections 30 “extend from the fuel tank sides 28, 29 toward the center of interior space 44 ending therein in truncated ends 72.” The projections are not “molded through tapered columns.” As such, the combination of Redding and Clarke et al. does not teach or suggest each and every element of the claim, and claim 1 is allowable.

Redding is for an automobile fuel tank. Clarke et al. is for a fuel container. Neither is a septic tank, and neither could be used as a septic tank. Septic tanks are largely designed to be placed in an underground situation and are subject to external forces. Neither tank, that of Redding or of Clarke et al., is designed or intended to be subjected to the types of external forces that are applied to septic tanks.

As stated in the Abstract of Redding, the automobile fuel tank has projections with “adjoining truncated ends ... being fused together to impart rigidity to the fuel tank by the

formation of hourglass-shaped columns through the fuel tank interior and being provided with a notch to initiate a parting path between the fused projections allowing the fuel tank to expand without rupturing if excessive internal pressure occurs.” The truncated ends are part of the essential structure of Redding. In its Abstract, Clarke et al. states that its tube is “for restricting an expansion of the container and increasing its strength.” Even in its alternate embodiments, Clarke et al.’s chamber is for internal strength against expansion.

In contrast, septic tanks, to which the present claims are limited, must maintain structural support against external forces. Redding and Clarke et al. are not analogous art to septic tanks. There is nothing in the structure or teaching of Redding or Clarke et al. about resistance to external forces. The only forces dealt with are internal ones.

Still further, the opposing ports of claim 18 are recited as being “substantially opposing.” This combined with the structure of the ports and the hollow columns is not shown or described in either Redding or Clarke et al, or in any combination thereof.

Claims 1 and 18 are allowable. Claims 2, 4-8, 19, and 21-22 depend directly or indirectly from one of allowable claims 1 or 18, and are also believed allowable.

#### *Claim Objections*

Claims 3 and 20 were objected to as containing material not present in the drawings. The claims are cancelled, while Applicant respectfully submits that adjustable rings to attach two substantially circular objects is well known in the art, and as such, anyone of skill in the art would be able to make and use the invention given the description of “adjustable rings” in the specification.

**RESPONSE TO NON-FINAL OFFICE ACTION**

Serial No. 10/600,263

Title: THERMOPLASTIC MOLDED TANK

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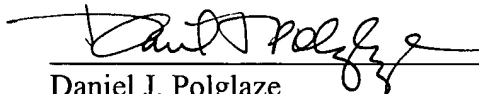
Attorney Docket No. 165.003US01

**CONCLUSION**

In view of the above remarks, Applicant respectfully submits that the claims are in condition for allowance and requests reconsideration of the application and allowance of claims. If the Examiner has any questions or concerns regarding this application, please contact the undersigned at (612) 312-2203.

Respectfully submitted,

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